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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/800,215	03/12/2004	Daniel Rohleder	WP21723US

Sujatha Subramaniam  
 Roche Diagnostics Operations, Inc.  
 9115 Hague Road, Bldg. D  
 Indianapolis, IN 46250



CONFIRMATION NO. 8547

## FORMALITIES LETTER



\*OC000000013445682\*

Date Mailed: 08/09/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

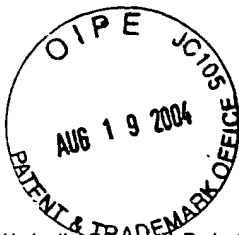
08/20/2004 BABRAHA1 00000064 022958 10800215  
 01 FC:1051 130.00 DA

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



WEMHH/SB/21 (6/04)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/800,215	
	Filing Date	March 12, 2004	
	First Named Inventor	Daniel Rohleder	
	Art Unit	3736	
	Examiner Name	Unknown	
Total Number of Pages in This Submission	10	Attorney Docket Number	WP 21723 US

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawings <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) <input type="text"/>	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Executed Declaration / POA Copy of Notice to File Missing Parts Return Postcard
Remarks <input type="text"/>		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or individual name	Sujatha Subramaniam, Reg. No. 48,739 Roche Diagnostics Operations, Inc.	
Signature		
Date	August 13, 2004	

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below			
Typed or printed name	Karla Biedenmeister		
Signature		Date	August 13, 2004

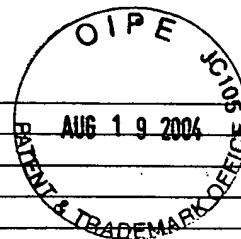
This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

# FEE TRANSMITTAL FOR FY 2004

Effective 01/01/2003. Patent fees are subject to annual revision.

*Complete if Known*



Application Number **10/800,215**  
Filing Date **March 12, 2004**  
First Named Inventor **Daniel Rohleder**  
Group Art Unit **3736**

Examiner Name **Unknown**

Attorney Docket Number **WP 21723 US**

☐ Applicant claims small entity status. See 37 CFR 1.27

Total Amount of Payment **(\$ 130.00)**

## METHOD OF PAYMENT

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit  
Account  
Number

**02-2958**

Deposit  
Account  
Name

**Roche Diagnostics Corporation**

The Commissioner is authorized to: (check all that apply)

- ☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application, excluding the payment of issue fees  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility Filing Fee	
1002	340	2002	170	Design Filing Fee	
1003	530	2003	265	Plant Filing Fee	
1004	770	2004	385	Reissue Filing Fee	
1005	160	2005	80	Provisional Filing Fee	
<b>SUBTOTAL (1)</b>					<b>(\$ 0)</b>

### 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee From Below	Fee Paid
	-20** =	X <b>18</b>	=
Independent Claims	-3** =	X <b>86</b>	=
Multiple Dependent			=

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	130
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner's Action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner's Action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Petitions related to provisional applications	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other Fee (specify)

\* Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) (\$ 130.00)**

## SUBMITTED BY

Name (Print/Type) **Sujatha Subramaniam**

Registration No. **48,739**  
(Attorney/Agent)

Signature *Sujatha Subramaniam*

Telephone **317-521-2851**

Date **August 13, 2004**



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: ) Before the Examiner  
)  
Daniel Rohleder et al. )  
)  
Serial No. 10/800,215 ) Group Art Unit  
) 3736  
)  
Filed March 12, 2004 )  
)  
ANALYSIS SYSTEM FOR REAGENT- ) August 13, 2004  
FREE DETERMINATION OF THE )  
CONCENTRATION OF AN ANALYTE )  
IN LIVING TISSUE )

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF  
NON-PROVISIONAL APPLICATION FILED UNDER 37 CFR 1.53(b)  
FILING DATE GRANTED**

MAIL STOP: MISSING PARTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

On March 12, 2004, the above-identified patent application was filed by Express Mail with an unsigned Declaration and Power of Attorney. In response to the Notice to File Missing Parts of Application mailed August 9, 2004, Applicant encloses herewith the fully executed Declaration and Power of Attorney, along with payment of \$130.00 for the late declaration surcharge. A copy of the Notice to File Missing Parts of Non-Provisional Application is also enclosed herewith.

No additional fees are believed to be necessary, however, should any fees be deemed required, the Commissioner is authorized to charge such fees to Deposit Account 02-2958, but is not to include any payment of issue fees.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

August 13, 2004

Date of Deposit

Karla Biedenmeister

Name of Person Mailing Correspondence

*Karla Biedenmeister*

Signature

August 13, 2004

Date of Signature

Respectfully submitted,

*Sujatha Subramaniam*

Sujatha Subramaniam

Reg. No. 48,739

Roche Diagnostics Operations, Inc.

9115 Hague Road

Indianapolis, IN 46250

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